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APPLICATION NUMBER 09/960,738	FILING RECEIPT DATE 09/24/2001	FIRST NAMED APPLICANT Brittne Bathe	ATTORNEY DOCKET NUMBER 032301WD218
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CONFIRMATION NO. 4248

FORMALITIES LETTER



OC000000007299491

SMITH, GAMBRELL & RUSSELL, LLP
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Washington, DC 20036

Date Mailed: 01/11/2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823 as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

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A copy of this notice MUST be returned with the reply.

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PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT

Atty. Docket No. 032301WD218

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Brigitte BATHE, et al.

Serial No. : 09/960,738

Filed: September 24, 2001

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Examiner: To Be Assigned

Group Art Unit: 1645

For : NUCLEOTIDE SEQUENCES WHICH CODE FOR THE ppgK GENE

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Attn.: Box Missing Parts

Commissioner for Patents

Washington, D.C. 20231

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed January 11, 2002, Applicants submit herewith the following documents relating to the above-captioned patent application:

- 1) Copy of Notice to Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/or Amino Acid Sequence Disclosures;
- 2) Preliminary Amendment;
- 3) Sequence Listing Submission Statement; and
- 4) Sequence Listing attached w/ computer-readable disk.

Pursuant to 37 C.F.R. § 1.821(f), Applicants hereby request entry of a Sequence Listing relating to the above-identified patent application.

U.S. Pat. App. No.: 09/960,738
Atty. Docket No.: 32301W218

If any fees are due in connection with this submission, the Commissioner is authorized to charge the fees to SGR Deposit Account No 02-4300; Order No. 032301.218.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

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